

FILED: June 14, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-1224
(2:12-md-02327)

In re: ETHICON, INC., Pelvic Repair System Products Liability Litigation,

KLINE & SPECTER, P.C.,

Appellant,

v.

COMMON BENEFIT FEE AND COST COMMITTEE,

Appellee.

No. 19-1225
(2:10-md-02187)

In re: C. R. BARD, INC., Pelvic Repair System Products Liability Litigation,

KLINE & SPECTER, P.C.,

Appellant,

v.

COMMON BENEFIT FEE AND COST COMMITTEE,

Appellee.

**No. 19-1226
(2:12-md-02326)**

In re: BOSTON SCIENTIFIC CORP., Pelvic Repair System Products Liability
Litigation,

KLINE & SPECTER, P.C.,

Appellant,

v.

COMMON BENEFIT FEE AND COST COMMITTEE,

Appellee.

**No. 19-1227
(2:12-md-02325)**

In re: AMERICAN MEDICAL SYSTEMS, INC., Pelvic Repair System Products
Liability Litigation,

KLINE & SPECTER, P.C.,

Appellant,

v.

COMMON BENEFIT FEE AND COST COMMITTEE,

Appellee.

No. 19-1228
(2:14-md-02511)

In re: NEOMEDIC PELVIC REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION,

KLINE & SPECTER, P.C.,

Appellant,

v.

COMMON BENEFIT FEE AND COST COMMITTEE,

Appellee.

No. 19-1229
(2:12-md-02387)

In re: COLOPLAST CORP., Pelvic Support Systems Products Liability
Litigation,

KLINE & SPECTER, P.C.,

Appellant,

v.

COMMON BENEFIT FEE AND COST COMMITTEE,

Appellee.

**No. 19-1230
(2:13-md-02440)**

In re: COOK MEDICAL, INC., Pelvic Repair System Products Liability
Litigation,

KLINE & SPECTER, P.C.,

Appellant,

v.

COMMON BENEFIT FEE AND COST COMMITTEE,

Appellee.

O R D E R

In these consolidated cases, Kline & Specter, P.C. (K&S), seeks to appeal the district court's January 30, 2019, Pretrial Order #327, which granted the Common Benefit Fee and Cost Committee's (FCC) Petition for an Award of Common Benefit Attorneys' Fees and Expenses. The FCC has moved to dismiss the appeals, asserting that K&S expressly waived its right to challenge on appeal the district court's determination on common benefit attorneys' fees awards, attorney fee allocations, and expense awards. We have reviewed the parties' submissions and agree that K&S knowingly and voluntarily agreed to be bound by the district court's attorneys' fees and expenses

determinations and, thus, it has waived its right to appeal its attorneys' fees and expenses award. Accordingly, we grant the FCC's motions to dismiss these appeals.

Entered at the direction of the panel: Judge Keenan, Judge Diaz, and Senior Judge Duncan.

For the Court,

/s/ Patricia S. Connor, Clerk